

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by adding  
5 Section 5.855 as follows:

6 (30 ILCS 105/5.855 new)

7 Sec. 5.855. The Medical Assisted Transport Licensure Fund.

8 Section 10. The Emergency Medical Services (EMS) Systems  
9 Act is amended by changing Sections 3.10 and 3.220 and by  
10 adding Section 3.88 as follows:

11 (210 ILCS 50/3.10)

12 Sec. 3.10. Scope of Services.

13 (a) "Advanced Life Support (ALS) Services" means an  
14 advanced level of pre-hospital and inter-hospital emergency  
15 care and non-emergency medical services that includes basic  
16 life support care, cardiac monitoring, cardiac defibrillation,  
17 electrocardiography, intravenous therapy, administration of  
18 medications, drugs and solutions, use of adjunctive medical  
19 devices, trauma care, and other authorized techniques and  
20 procedures, as outlined in the Advanced Life Support national  
21 curriculum of the United States Department of Transportation

1 and any modifications to that curriculum specified in rules  
2 adopted by the Department pursuant to this Act.

3 That care shall be initiated as authorized by the EMS  
4 Medical Director in a Department approved advanced life support  
5 EMS System, under the written or verbal direction of a  
6 physician licensed to practice medicine in all of its branches  
7 or under the verbal direction of an Emergency Communications  
8 Registered Nurse.

9 (b) "Intermediate Life Support (ILS) Services" means an  
10 intermediate level of pre-hospital and inter-hospital  
11 emergency care and non-emergency medical services that  
12 includes basic life support care plus intravenous cannulation  
13 and fluid therapy, invasive airway management, trauma care, and  
14 other authorized techniques and procedures, as outlined in the  
15 Intermediate Life Support national curriculum of the United  
16 States Department of Transportation and any modifications to  
17 that curriculum specified in rules adopted by the Department  
18 pursuant to this Act.

19 That care shall be initiated as authorized by the EMS  
20 Medical Director in a Department approved intermediate or  
21 advanced life support EMS System, under the written or verbal  
22 direction of a physician licensed to practice medicine in all  
23 of its branches or under the verbal direction of an Emergency  
24 Communications Registered Nurse.

25 (c) "Basic Life Support (BLS) Services" means a basic level  
26 of pre-hospital and inter-hospital emergency care and

1 non-emergency medical services that includes airway  
2 management, clinical observation, cardiopulmonary  
3 resuscitation (CPR), control of shock and bleeding and  
4 splinting of fractures, as outlined in the Basic Life Support  
5 national curriculum of the United States Department of  
6 Transportation and any modifications to that curriculum  
7 specified in rules adopted by the Department pursuant to this  
8 Act.

9 That care shall be initiated, where authorized by the EMS  
10 Medical Director in a Department approved EMS System, under the  
11 written or verbal direction of a physician licensed to practice  
12 medicine in all of its branches or under the verbal direction  
13 of an Emergency Communications Registered Nurse.

14 (d) "First Response Services" means a preliminary level of  
15 pre-hospital emergency care that includes cardiopulmonary  
16 resuscitation (CPR), monitoring vital signs and control of  
17 bleeding, as outlined in the First Responder curriculum of the  
18 United States Department of Transportation and any  
19 modifications to that curriculum specified in rules adopted by  
20 the Department pursuant to this Act.

21 (e) "Pre-hospital care" means those emergency medical  
22 services rendered to emergency patients for analytic,  
23 resuscitative, stabilizing, or preventive purposes, precedent  
24 to and during transportation of such patients to hospitals.

25 (f) "Inter-hospital care" means those emergency medical  
26 services rendered to emergency patients for analytic,

1 resuscitative, stabilizing, or preventive purposes, during  
2 transportation of such patients from one hospital to another  
3 hospital.

4 (f-5) "Critical care transport" means the pre-hospital or  
5 inter-hospital transportation of a critically injured or ill  
6 patient by a vehicle service provider, including the provision  
7 of medically necessary supplies and services, at a level of  
8 service beyond the scope of the EMT-paramedic. When medically  
9 indicated for a patient, as determined by a physician licensed  
10 to practice medicine in all of its branches, an advanced  
11 practice nurse, or a physician's assistant, in compliance with  
12 subsections (b) and (c) of Section 3.155 of this Act, critical  
13 care transport may be provided by:

14 (1) Department-approved critical care transport  
15 providers, not owned or operated by a hospital, utilizing  
16 EMT-paramedics with additional training, nurses, or other  
17 qualified health professionals; or

18 (2) Hospitals, when utilizing any vehicle service  
19 provider or any hospital-owned or operated vehicle service  
20 provider. Nothing in this amendatory Act of the 96th  
21 General Assembly requires a hospital to use, or to be, a  
22 Department-approved critical care transport provider when  
23 transporting patients, including those critically injured  
24 or ill. Nothing in this Act shall restrict or prohibit a  
25 hospital from providing, or arranging for, the medically  
26 appropriate transport of any patient, as determined by a

1 physician licensed to practice in all of its branches, an  
2 advanced practice nurse, or a physician's assistant.

3 (g) "Non-emergency medical services" means medical care or  
4 monitoring rendered to patients whose conditions do not meet  
5 this Act's definition of emergency, before or during  
6 transportation of such patients to or from health care  
7 facilities visited for the purpose of obtaining medical or  
8 health care services which are not emergency in nature, using a  
9 vehicle regulated by this Act.

10 (g-1) "Clinical observation" means the ongoing observation  
11 of a patient's condition by a licensed physician, nurse, or  
12 emergency medical technician using a medical skill set while  
13 the licensed physician, nurse, or emergency medical technician  
14 continues assessment and care of the patient.

15 (g-5) The Department shall have the authority to promulgate  
16 minimum standards for critical care transport providers  
17 through rules adopted pursuant to this Act. All critical care  
18 transport providers must function within a Department-approved  
19 EMS System. Nothing in Department rules shall restrict a  
20 hospital's ability to furnish personnel, equipment, and  
21 medical supplies to any vehicle service provider, including a  
22 critical care transport provider. Minimum critical care  
23 transport provider standards shall include, but are not limited  
24 to:

25 (1) Personnel staffing and licensure.

26 (2) Education, certification, and experience.

1 (3) Medical equipment and supplies.

2 (4) Vehicular standards.

3 (5) Treatment and transport protocols.

4 (6) Quality assurance and data collection.

5 (h) The provisions of this Act shall not apply to the use  
6 of an ambulance or SEMSV, unless and until emergency or  
7 non-emergency medical services are needed during the use of the  
8 ambulance or SEMSV.

9 (Source: P.A. 96-1469, eff. 1-1-11.)

10 (210 ILCS 50/3.88 new)

11 Sec. 3.88. Medical assisted transport providers.

12 (a) In this Section, "medical assisted transport provider"  
13 means an entity licensed by the Department to provide  
14 non-emergency bedside-to-bedside transportation of passengers  
15 in compliance with this Act or the rules adopted by the  
16 Department pursuant to this Act, using a medical assisted  
17 transport vehicle.

18 In this Section, "medical assisted transport vehicle"  
19 means any publicly or privately owned on-road vehicle that is  
20 equipped for, intended to be used for, and operated for  
21 non-emergency bedside-to-bedside transportation.

22 (b) The Department has the authority and the responsibility  
23 to do the following:

24 (1) Require that all medical assisted transport  
25 providers, both publicly and privately owned, be licensed

1 by the Department.

2 (2) Establish licensing, safety, and training  
3 standards and requirements for medical assisted transport  
4 providers through rules adopted pursuant to this Act,  
5 including, but not limited to, the following:

6 (A) Vehicle design, specification, operation, and  
7 maintenance standards.

8 (B) Safety equipment requirements and standards.

9 (C) Medical supply and equipment requirements and  
10 standards, including, but not limited to, the  
11 requirement to have the following medical supply and  
12 equipment items on each medical assisted transport  
13 vehicle:

14 (i) a first aid kit; and

15 (ii) an automated external defibrillator  
16 (AED), as described in Section 10 of the Automated  
17 External Defibrillator Act.

18 (D) Training requirements, including, but not  
19 limited to, the requirement that all staff members  
20 providing medical assisted transport services under  
21 this Section receive the following training:

22 (i) safety training as specified in subsection  
23 (e) of Section 5-4.2 of the Illinois Public Aid  
24 Code;

25 (ii) defensive driving training equivalent to  
26 the National Safety Council's Coaching the Van

1           Driver 3 course;

2                   (iii) basic first aid training equivalent to  
3           the American Red Cross's First Aid course; and

4                   (iv) cardiopulmonary resuscitation (CPR)  
5           training, including training in the proper use of  
6           an automated external defibrillator (AED),  
7           equivalent to the American Red Cross's CPR/AED for  
8           Professional Rescuers and Health Care Providers  
9           course.

10           (E) Annual license renewal.

11           (3) License all medical assisted transport providers  
12           that have met the Department's requirements for licensure.

13           (4) Annually inspect all licensed medical assisted  
14           transport providers and relicense providers that have met  
15           the Department's requirements for license renewal.

16           (5) Suspend, revoke, refuse to issue, or refuse to  
17           renew the license of any medical assisted transport  
18           provider, or that portion of a license pertaining to a  
19           specific vehicle operated by a provider, after an  
20           opportunity for a hearing when findings show that the  
21           provider or one or more of its vehicles has failed to  
22           comply with the rules adopted by the Department pursuant to  
23           this Act.

24           (6) Issue an emergency suspension order for any medical  
25           assisted transport provider or vehicle licensed under this  
26           Act when the Director or his or her designee has determined

1 that an immediate or serious danger to the public health,  
2 safety, and welfare exists. Suspension or revocation  
3 proceedings that offer an opportunity for a hearing shall  
4 be promptly initiated after the emergency suspension order  
5 has been issued.

6 (7) Prohibit any medical assisted transport provider  
7 from advertising, identifying its vehicles, or  
8 disseminating information in a false or misleading manner  
9 concerning the provider's type and level of vehicles,  
10 location, response times, level of personnel, licensure  
11 status, or EMS System participation.

12 (8) Charge each medical assisted transport provider a  
13 fee that shall not exceed \$25 per vehicle nor \$500 per  
14 provider. The fee shall be submitted with each application  
15 for licensure and license renewal.

16 (c) A medical assisted transport provider may provide  
17 transport of a passenger who is ambulatory or is in a  
18 wheelchair, provided that all of the following requirements are  
19 met:

20 (1) The passenger needs no medical monitoring or  
21 clinical observation.

22 (2) The passenger is transported as follows: (A) if the  
23 passenger resides in a facility licensed under the Nursing  
24 Home Care Act, he or she is transported from the inside of  
25 his or her room to a room at a physician's office or to a  
26 ward, unit, or room of a hospital licensed under the

1 Hospital Licensing Act or operated under the University of  
2 Illinois Hospital Act or (B) from a room at a physician's  
3 office or ward, unit, or room of a hospital licensed under  
4 the Hospital Licensing Act or operated under the University  
5 of Illinois Hospital Act to the inside of his or her  
6 residence or, if the passenger resides in a facility  
7 licensed under the Nursing Home Care Act, to the inside of  
8 his or her room.

9 (d) A medical assisted transport provider may not transport  
10 a passenger who meets any of the following conditions:

11 (1) He or she is acutely ill, wounded, or medically  
12 unstable as determined by a licensed physician.

13 (2) He or she is experiencing an emergency medical  
14 condition, an acute medical condition, or a sudden illness  
15 or injury.

16 (3) He or she was administered a medication that might  
17 prevent the passenger from caring for himself or herself.

18 (4) He or she requires active medical monitoring,  
19 clinical observation, isolation precautions, supplemental  
20 oxygen that is not self-administered, continuous airway  
21 management, suctioning during transport, or the  
22 administration of intravenous fluids during transport.

23 (e) The Medical Assisted Transport Licensure Fund is  
24 created as a special fund in the State treasury. All fees  
25 received by the Department in connection with the licensure of  
26 medical assisted transport providers under this Section shall

1 be deposited into the Fund. Moneys in the Fund shall be used by  
2 the Department, subject to appropriation, to implement this  
3 Section.

4 (210 ILCS 50/3.220)

5 Sec. 3.220. EMS Assistance Fund.

6 (a) There is hereby created an "EMS Assistance Fund" within  
7 the State treasury, for the purpose of receiving fines and fees  
8 collected by the Illinois Department of Health pursuant to this  
9 Act.

10 (b) (Blank).

11 (b-5) All licensing, testing, and certification fees  
12 authorized by this Act, excluding ambulance licensure fees,  
13 within this fund shall be used by the Department for  
14 administration, oversight, and enforcement of activities  
15 authorized under this Act.

16 (c) All other moneys within this fund shall be distributed  
17 by the Department to the EMS Regions for disbursement in  
18 accordance with protocols established in the EMS Region Plans,  
19 for the purposes of organization, development and improvement  
20 of Emergency Medical Services Systems, including but not  
21 limited to training of personnel and acquisition, modification  
22 and maintenance of necessary supplies, equipment and vehicles.

23 (d) All fees and fines collected pursuant to this Act shall  
24 be deposited into the EMS Assistance Fund, except that all fees  
25 collected under Section 3.86 in connection with the licensure

1 of stretcher van providers shall be deposited into the  
2 Stretcher Van Licensure Fund and all fees collected under  
3 Section 3.88 in connection with the licensure of medical  
4 assisted transport providers shall be deposited into the  
5 Medical Assisted Transport Licensure Fund.

6 (Source: P.A. 96-702, eff. 8-25-09; 96-1469, eff. 1-1-11.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.